

REMARKS

Claims 2-5, 7 and 17-24 are all the claims pending in the application. New claims 21-24 have been added, and support for the new claims can be found, for example, at pages 18-19 of the present specification.

Entry of the above amendments is respectfully requested.

Initially, Applicants thank the Examiner for indicating that claims 2-4, 7 and 18-20 are allowable. It is respectfully submitted that claims 21-24 are also allowable for the same reasons as claim 2 since they recite the same perovskite titanium-containing composite oxide particle.

In addition, the Examiner is respectfully requested to indicate that the drawings filed on April 2, 2004 have been accepted.

Further, the Examiner is respectfully requested to return a signed and initialed copy of Form-PTO/SB/08 A & B (modified) submitted with the Information Disclosure Statement filed on March 4, 2005.

I. Specification

At page 2 of the Office Action, the Examiner asserts that amendment of "titanate" to "titanium salt" constitutes new matter.

Applicants respectfully traverse and submit that the amendment of "titanate" to "titanium salt" does not constitute new matter.

In the present application, both "titanium salt" and "titanate" were translated as "titanate." A person of ordinary skill in the art would easily recognize that "titanate" actually should be "titanium salt" in various parts of the specification. For example, titanium

tetrachloride and titanium sulfate are listed as "titanate." See page 12, lines 5-6 of the present specification. However, titanium tetrachloride and titanium sulfate are not titanate but titanium salts. In addition, page 12, lines 6-7 disclose that "titanate" is subjected to hydrolysis in an acid solution; however, in the Examples, titanium salts, which are titanium tetrachloride or titanium sulfate, are subjected to hydrolysis in an acid solution. Therefore, the substance subjected to hydrolysis in an acid solution is "titanate salt," which has been mistranslated as "titanate." Accordingly, Applicants respectfully submit that a person of skill in the art would recognize the error and would recognize the appropriate correction.

In addition, the same amendments were made to the specification in parent application no. 09/579,708.

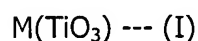
In view of the above, it is respectfully submitted that the amendment of "titanate" to "titanium salt" does not constitute new matter, and withdrawal of the rejection is respectfully requested.

II. Response to Rejection of Claims 5 and 17 under 35 U.S.C. § 103(a).

At page 3 of the Office Action, claims 5 and 17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Graham (US Patent 2,841,503).

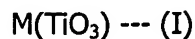
Applicants respectfully traverse the rejection and submit that Graham does not teach or suggest the present invention.

Claim 5 is directed to a sol produced by allowing a titanium oxide particle comprising a brookite crystalline form to react with a metal salt comprising at least one of Ca, Sr, Ba, Pb, or Mg in a liquid phase:



where M is at least one of Ca, Sr, Ba, Pb, or Mg.

Claim 17 is directed to a sol produced by allowing a titanium oxide sol prepared by subjecting a titanate to hydrolysis in an acid solution to react with a metal salt comprising at least one of Ca, Sr, Ba, Pb, or Mg in a liquid phase:



where M is at least one of Ca, Sr, Ba, Pb, or Mg.

It is respectfully submitted that the products of the present invention according to claims 5 and 17 are different from a product made by a different process. Therefore, the process limitations define the present invention according to claims 5 and 17.

The present invention requires that the sol be specifically made by the process of claims 3 and 4, respectively. As shown by Examples 1 and 5 and the Comparative Examples, a product made by the process of the present invention differs from a product made by a different process. That is, the perovskite titanium-containing composite oxide particles of the Comparative Examples were made by slightly changing the processes used in Example 1 or 5, and possessed properties different from those of the present invention. Therefore, differences in the method of producing the sol affects the sol that is produced.

Since Graham teaches a different process from that of the present invention, the present invention according to claims 5 and 17 are not obvious in view of Graham since the process limitations define the present invention according to claims 5 and 17.

In view of the above, withdrawal of the foregoing rejection is respectfully requested.

III. Conclusion

For the foregoing reasons, reconsideration and withdrawal of the objection and §103 rejection, and allowance of claims 2-5, 7 and 17-24 are respectfully requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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